



TIGARD CITY COUNCIL
MEETING

SEPTEMBER 13, 2005 6:30 p.m.

TIGARD CITY HALL
13125 SW HALL BLVD
TIGARD, OR 97223



PUBLIC NOTICE:

Anyone wishing to speak on an agenda item should sign on the appropriate sign-up sheet(s). If no sheet is available, ask to be recognized by the Mayor at the beginning of that agenda item. Citizen Communication items are asked to be two minutes or less. Longer matters can be set for a future Agenda by contacting either the Mayor or the City Manager.

Times noted are estimated; it is recommended that persons interested in testifying be present by 7:15 p.m. to sign in on the testimony sign-in sheet. Business agenda items can be heard in any order after 7:30 p.m.

Assistive Listening Devices are available for persons with impaired hearing and should be scheduled for Council meetings by noon on the Monday prior to the Council meeting. Please call 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

Upon request, the City will also endeavor to arrange for the following services:

- Qualified sign language interpreters for persons with speech or hearing impairments; and
- Qualified bilingual interpreters.

Since these services must be scheduled with outside service providers, it is important to allow as much lead time as possible. Please notify the City of your need by 5:00 p.m. on the Thursday preceding the meeting by calling: 503-639-4171, ext. 2410 (voice) or 503-684-2772 (TDD - Telecommunications Devices for the Deaf).

SEE ATTACHED AGENDA

A G E N D A
TIGARD CITY COUNCIL MEETING
SEPTEMBER 13, 2005

6:30 PM

- **STUDY SESSION**
 - > **BRIEFING ON MANAGEMENT GROUP COST OF LIVING (COLA) AND COMPENSATION**
 - Administration Staff
 - > **DISCUSSION OF COUNCIL RETREAT**
 - Administration Staff
- **EXECUTIVE SESSION:** The Tigard City Council may go into Executive Session. If an Executive Session is called to order, the appropriate ORS citation will be announced identifying the applicable statute. All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(4), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.

7:30 PM

1. **BUSINESS MEETING**
 - 1.1 Call to Order - City Council & Local Contract Review Board
 - 1.2 Roll Call
 - 1.3 Pledge of Allegiance
 - 1.4 Council Communications & Liaison Reports
 - 1.5 Call to Council and Staff for Non-Agenda Items
2. **PROCLAMATIONS**
 - Mayor Dirksen
 - 2.1 Proclaim September 17 to 23, 2005 as Constitution Week

3. CITIZEN COMMUNICATION (Two Minutes or Less, Please)
 - Tigard High School Student Envoy Representative
(Krista Foltz is not able to attend.)
 - Follow-up on Previous Citizen Communication
 - Follow-up on Fifth Tuesday Meeting

4. CONSENT AGENDA: These items are considered to be routine and may be enacted in one motion without separate discussion. Anyone may request that an item be removed by motion for discussion and separate action. Motion to:
 - 4.1 Approve Council Minutes for August 9 and 16, 2005
 - 4.2 Receive and File:
 - a. Council Calendar
 - b. Council Meeting Tentative Agenda
 - 4.3 Approve Budget Amendment #1 to the FY 2005-06 Budget to Increase Appropriations in the Water, Water CIP, and Water SDC Funds for Funding of Certain Capital Water Projects – Resolution No. 05 - _____
 - 4.4 Approve Budget Amendment #2 to the FY 2005-06 Budget to Carry Over Funds in the Public Works Program for Replacement of Vehicles – Resolution No. 05 - _____
 - 4.5 Approve Budget Amendment #3 to the FY 2005-06 Budget to Increase Appropriations in the Street Maintenance Division Budget for Purchase of a Sign Plotter and Computer – Resolution No. 05 - _____
 - 4.6 Amend the November 14, 2002 License Agreement for Maintenance of the Fields Property East of the Library Site
 - 4.7 Authorize the City Manager to Relinquish Temporary Emergency Turnaround Easements at Arbor Pointe Subdivision
 - 4.8 Approve the Submission of an Application for a Washington Square Mall Buffer Zone Protection Plan Grant
 - 4.9 Adopt the National Incident Management System as the Foundation for Incident Command, Coordination, and Support Activities and Establishing Policy that Will Provide Training for Responsible City Personnel – Resolution No. 05 - _____
 - 4.10 Local Contract Review Board:
 - a. Award a Contract for the Construction of the SW Ash Avenue Sanitary Sewer (Sewer Reimbursement District No. 35) to NW Kodiak Construction, LLC

- *Consent Agenda - Items Removed for Separate Discussion: Any items requested to be removed from the Consent Agenda for separate discussion will be considered immediately after the Council has voted on those items which do not need discussion.*

5. INDONESIAN RESOURCE CITIES EXCHANGE REPORT

- Staff Report: Library Staff
- Council Discussion

6. *Continued from the August 23, 2005, City Council meeting –*
CONSIDERATION OF THE FINAL ORDERS REGARDING THE ANNEXATION
OF THE FOLLOWING FOUR PROPERTIES:

FILE NO.:	ZONE CHANGE ANNEXATION (ZCA) 2004-00004
FILE TITLE:	MOUNTAIN VIEW ESTATES SUBDIVISION ANNEXATION
REQUEST:	The applicant is requesting to annex two (2) parcels of land containing 6.94 acres into the City of Tigard.
LOCATION:	12415 SW Beef Bend Road, WCTM 2S110CB, Tax Lot 500; and (No site address), WCTM 2S110CB, Tax Lot 100.
FILE NO.:	ZONE CHANGE ANNEXATION (ZCA) 2005-00001
FILE TITLE:	ARLINGTON HEIGHTS 3 SUBDIVISION ANNEXATION
REQUEST:	A request to annex three (3) parcels of land containing 16.97 acres into the City of Tigard.
LOCATION:	On the north side of SW Beef Bend Road and the southern terminus of SW Summerview Drive. WCTM 2S109DA, Tax Lot 2100; and 2S110CB, Tax Lots 600 and 700.
FILE NO.:	ZONE CHANGE ANNEXATION (ZCA) 2005-00002
FILE TITLE:	WILSON RIDGE SUBDIVISION ANNEXATION
REQUEST:	A request to annex two (2) parcels of land containing 2.68 acres into the City of Tigard.
LOCATION:	13350 and 13400 SW Bull Mountain Road; WCTM 2S109AC, Tax Lots 100 and 200.

FILE NO.:	ZONE CHANGE ANNEXATION (ZCA) 2005-00003
FILE TITLE:	ALBERTA RIDER SCHOOL/SUMMIT RIDGE SUBDIVISION ANNEXATION
REQUEST:	Annexation of 56 parcels containing approximately 20.75 acres into the City of Tigard.
LOCATION:	<u>Alberta Rider School:</u> WCTM 2S109AC, Tax Lot 2100 and 2S109AD, Tax Lot 1300; and <u>Remaining Portions of Summit Ridge Subdivision:</u> WCTM 2S109DA, Tax Lots 8500, 8600, 8700, 8800, 9400, 9500, 9600, 9700, 9800, 9900, 10000, 10100, 10200, 10300, 11500, 11600, 11700, 11800, 11900, 12000, 12100, 12200, 12300, 12400, 12500, 12600, 12700, 12800, 12900, 13000, 13400 and 13500, and WCTM 2S109DB, Tax Lots 1000, 1900, 2100, 2200, 2300, 2400, 2500, 2600, 2700, 2800, 2900, 3000, 3100, 3200, 3300, 3400, 3500, 3600, 3700, 3800, 3900 and 4000.

ZONING OF ALL PARCELS: R-7: Medium-Density Residential District. The R-7 zoning district is designed to accommodate attached single-family homes, detached single-family homes with or without accessory residential units, at a minimum lot size of 5,000 square feet, and duplexes, at a minimum lot size of 10,000 square feet. Mobile home parks and subdivisions are also permitted outright. Some civic and institutional uses are also permitted conditionally.

APPLICABLE REVIEW CRITERIA: The approval standards for annexations are set out in Community Development Code Chapters 18.320 and 18.390, Comprehensive Plan Policies 2 and 10; ORS Chapter 222; and Metro Code Chapter 3.09.

- a. Summation by Community Development Staff
- b. Council Discussion
- c. Council Consideration:
 - Ordinance No. 05 - _____ (Mountain Estates Subdivision Annexation)
 - Ordinance No. 05 - _____ (Arlington Heights 3 Subdivision Annexation)
 - Ordinance No. 05 - _____ (Wilson Ridge Subdivision Annexation)
 - Ordinance No. 05 - _____ (Alberta Rider School/Summit Ridge Annexation)

7. PUBLIC HEARING (QUASI-JUDICIAL) TO CONSIDER AN ORDINANCE ADOPTING FINDINGS TO GRANT A BALLOT MEASURE 37 WAIVER OF THE R-25 ZONING RESTRICTIONS FOR A PROPERTY AT THE INTERSECTION OF SW SCHOLLS FERRY ROAD AND 135TH AVENUE

CLAIM:

The Claimant seeks a waiver and/or change in the underlying zoning and comprehensive plan designation on a 10.45 acre site from the present high-density R-25 residential zoning to C-C or C-G commercial zoning to allow a commercial shopping center, various tenants/uses, as well as retail sales, vehicle fuel sales and signage of the C-C or C-G commercial zone. The amount claimed as compensation without such waiver or change is \$4,562,360.00.

AFFECTED REGULATION:

Residential R-25 zoning; Comprehensive Plan designation as residential; Transportation System Plan and Development Code access restrictions; any other zoning and building code restrictions or overlay zones that preclude a commercial use; sign code restrictions.

LOCATION:

Lot 63, Hawk's Beard Townhomes; WCTM 1S133AC, Tax Lot 14500. On the south side of SW Scholls Ferry Road, between SW 130th and 135th Avenue.

ZONING DESIGNATION:

R-25: Medium High-Density Residential District. The R-25 zoning district is designed to accommodate existing housing of all types and new attached single-family and multi-family housing units at a minimum lot size of 1,480 square feet. A limited amount of neighborhood commercial uses are permitted outright and a wide range of civic and institutional uses are permitted conditionally.

APPLICABLE REVIEW CRITERIA:

Tigard Municipal Code Chapter 1.20.

- a. Open Public Hearing
- b. Rules of Procedure
- c. Declarations or Challenges
- d. Staff Report: Community Development Staff
- e. Public Testimony
 - Proponents
 - Opponents
 - Rebuttal
- f. Staff Recommendation

- g. Council Discussion
- h. Close Public Hearing
- i. Council Consideration: Ordinance No. 05 - _____

8. **CONSIDER APPOINTING CRAIG PROSSER AS TIGARD CITY MANAGER**

- a. Staff Report: Administration Staff
- b. Public Comment
- c. Council Discussion
- d. Council Consideration: Motion to appoint Craig Prosser as Tigard City Manager and authorize the Mayor to sign the corresponding employment agreement.

9. **LOCAL CONTRACT REVIEW BOARD (LCRB) ITEM**

Removed from the August 9, 2005 consent agenda for separate consideration -
CONSIDER AUTHORIZING REIMBURSEMENT TO VENTURE PROPERTIES FOR WATERLINE CONSTRUCTION THROUGH SUMMIT RIDGE SUBDIVISION DEVELOPMENT

- a. Staff Report: Public Works Staff
- b. Council Discussion
- c. LCRB Consideration: Motion to authorize reimbursement to Venture Properties for the construction of a large diameter transmission waterline through the Summit Ridge Subdivision development.

10. **COUNCIL LIAISON REPORTS**

11. **NON AGENDA ITEMS**

12. **EXECUTIVE SESSION:** The Tigard City Council may go into Executive Session. If an Executive Session is called to order, the appropriate ORS citation will be announced identifying the applicable statute. All discussions are confidential and those present may disclose nothing from the Session. Representatives of the news media are allowed to attend Executive Sessions, as provided by ORS 192.660(4), but must not disclose any information discussed. No Executive Session may be held for the purpose of taking any final action or making any final decision. Executive Sessions are closed to the public.

13. ADJOURNMENT

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A CITY CENTER DEVELOPMENT AGENCY
- AN URBAN RENEWAL AGENCY –
MEETING WILL FOLLOW THE CITY COUNCIL MEETING

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TIGARD CITY CENTER
DEVELOPMENT AGENCY
MEETING

SEPTEMBER 13, 2005

TIGARD CITY HALL
13125 SW HALL BLVD
TIGARD, OR 97223



A G E N D A
CITY CENTER DEVELOPMENT AGENCY
- AN URBAN RENEWAL AGENCY-
MEETING
SEPTEMBER 13, 2005

Note: The City Center Development Agency will convene following the Tigard City Council meeting.

1. CITY CENTER DEVELOPMENT AGENCY (CCDA) MEETING
 - 1.1 Call to Order - City Center Development Agency
 - 1.2 Roll Call

2. REVIEW AND PROVIDE INPUT ON THE URBAN RENEWAL PROJECT PUBLIC OUTREACH PLAN
 - a. Staff Report: Community Development Staff
 - b. CCDA Discussion

3. ADJOURNMENT